

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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April 6, 2004

FROM: PATRICK J. MEAD, Interim Director
Department of Public Works - **Transportation**

**SUBJECT: CHANGE ORDER NO. 1 TO CONTRACT NO. 03-1024 WITH MOBASSALY
ENGINEERING, INC.**

RECOMMENDATION: Approve Contract Change Order (CCO) No. 1 to Contract No. 03-1024 with Mobassaly Engineering, Inc., increasing the contract amount by \$102,597 from \$1,085,012 to \$1,187,609, for additional work related to widening, pavement rehabilitation and signal installation on Whittram Avenue and Beech Avenue in the Fontana area (4 votes required).

BACKGROUND INFORMATION: On September 30, 2003, the Board approved Contract No. 03-1024 with Mobassaly Engineering, Inc. in the amount of \$1,085,012 for widening, pavement rehabilitation and signal installation on Whittram Avenue and Beech Avenue to improve traffic circulation and public safety at this location. There have been no previous CCOs for this project.

CCO No. 1, in the estimated amount of \$102,597, (9.46% of the original contract) provides compensation to the contractor for the following changes:

1. Increases and decreases in contract quantities that are based on the engineer's estimate. These are relatively minor increases and decreases to various items that were necessary due to varying field conditions on the project. The net result of all the increases and decreases in contract quantities at contract unit prices will be an estimated \$20,816 decrease in contract cost.
2. Extra work required to resolve unforeseen utility conflicts The cost of this work is estimated at \$19,270 and consists of removal of a buried man-made object that was discovered in the storm drain trench alignment, reconnection of an existing water service lateral to maintain water service, potholing required to locate utility conflicts and down time due to delays while utility conflicts are being resolved. Payment will be based on the actual cost for labor, equipment and materials required for the work in accordance with Section 9-1.03, "Force Account Payment," of the Caltrans Standard Specifications that govern the project.
3. Extra work for grading, concrete removal and related work at existing driveways and fence locations that was not shown on the plans but was required to meet field conditions. The cost of this work is estimated at \$11,132. Payment will be based on the actual cost for labor, equipment and materials required for the work in accordance with Section 9-1.03, "Force Account Payment," of the Caltrans Standard Specifications that govern the project.

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4. Extra work required for roadway excavation beneath the existing roadway section on Whittram Avenue. The cost of this work is estimated at \$93,011. This work was shown on the plans but was inadvertently omitted from the original contract quantities that are based on the engineer's estimate. The work is required so the grades on Whittram Avenue can be maintained to accommodate cross-fall and drainage requirements. Payment will be based on the actual cost for labor, equipment and materials required for the work in accordance with Section 9-1.03, "Force Account Payment," of the Caltrans Standard Specifications that govern the project.

The total net increase for this change order being requested is \$102,597 (9.46% of the original contract). For this project, in accordance with Section 20142 and Section 20136(c) of the Public Contract Code, Board approval by a vote of two-thirds (4 votes) is required for changes that authorize cost increases that exceed an aggregate amount of \$66,750.

REVIEW AND APPROVAL BY OTHERS: This item was reviewed and approved by Chief Deputy County Counsel Rex A. Hinesley (387-548) on 25, 2004 and by the County Administrative Office (Tom Forster, Administrative Analyst, 387-4635) on 26, 2004.

FINANCIAL IMPACT: The cost of CCO No. 1 is \$102,597. Funds for these costs are available in the Department's Fiscal Year 2003/2004 Transportation (SAA-TRA-TRA) and Measure "I" (SWW-TRA-TRA) budgets.

COST REDUCTION REVIEW: The County Administrative office has reviewed this item and concurs with the Department's recommendation because the additional compensation to the Contractor is needed to complete the project in accordance with approved plans and specifications. This project is financed through dedicated Transportation and Measure "I" funds so it has no impact on the County General fund.

SUPERVISORIAL DISTRICT(S): 2ND

PRESENTER: Patrick J. Mead, 387-7916

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